



ENFORCEMENT OF THE
***ENVIRONMENTAL PROTECTION
AND ENHANCEMENT ACT***

And

WATER ACT

1 Oct 2012- 31 Dec 2012

January 2013

Compliance Assurance, Operations Division

Enforcement Actions

1 Oct 2012 - 31 Dec 2012

<i>Company/Individual</i>	<i>Municipality / LLD</i>	<i>Decision Date/ Penalty</i>	<i>Act/ Regulation</i>	<i>Comments / Disposition</i>
Administrative Penalties				
Canadian Natural Resources Limited	MD of Bonnyville 8-66-5-W4	18-Oct-12 Assessed: \$6,000.00	AEPEA(R) 227(e) 67(1)	The Company operates the Primrose-Wolf Lake Oil Production Site pursuant to an Approval. It contravened its approval by releasing effluent streams to the atmosphere other than as provided for in the Approval and by changing the manner in which effluent is emitted into the atmosphere without first obtaining authorization. Paid 14 November 2012.
Baich, Robert	Clearwater County NW-25-39-7-W5	25-Oct-12 Assessed: \$4,000.00	AEPEA(R) 61	RVB Management Ltd. and Robert Baich conducted an activity, the unauthorized burning of prohibited debris on November 26, 2010.
RVB Management Ltd.	Clearwater County NW-25-39-7-W5	25-Oct-12	AEPEA(R) 61	SEE DETAILS: "Baich, Robert"
G-M Pearson Environmental Management Ltd.	Wainwright NE-30-44-6-W4	06-Dec-12 Assessed: \$11,000.00	AEPEA(R) 227(e)	The Wainwright Regional Waste to Energy Authority holds an Approval for the purposes of owning and operating an incinerator for the disposal of solid municipal, industrial and biomedical wastes. The incinerator is operated by G-M Pearson Environmental Management Ltd. The Parties contravened the Approval with late submission of the 2007, 2008 and 2009 Annual Air Emissions Reports; failing to continuously monitor carbon monoxide at the incinerator baghouse stack, and the release of substances, to wit mercury, dioxins, and furans, into the environment above the approved limit. Paid 28 December 2012.
Wainwright Regional Waste to Energy Authority	Wainwright NE-30-44-6-W4	06-Dec-12	AEPEA(R) 227(e)	SEE DETAILS: "G-M Pearson Environmental Management Ltd."

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Amended Enforcement Orders				
Methot, Ernest and Angela	Kapasiwin Plan 5674HW, Block A, Lot 11	31-Oct-12	WA 36(1)	Amendment No. 2 issued to WA-EO-2012/05-CR deleting the date of "October 1, 2012" and inserting "December 14, 2012" in its place in Clause 1 (page 2) of Amendment No. 1.
Brero Holdings Ltd. and Bresciani, Robert	Red Deer County Plan 8820936, Block D	14-Dec-12	AEPEA(R) 227(e)	Amendment No. 1 issued to EO-2012/03-CR replacing "January 31, 2013" with "February 28, 2013" in Clause 1, Option A, sub-paragraph ii and replacing "immediately" with "by noon on December 21, 2012" in Clause 2
Brero Holdings Ltd. and Bresciani, Robert	Red Deer County Plan 8820936, Block D	14-Dec-12	WA 49	Amendment No. 1 issued to WA-EO-2012/07-CR replacing "January 31, 2013" with "February 28, 2013" in Clause 1, Option A, sub-paragraph ii and replacing "immediately" with "by noon on December 21, 2012" in Clause 2.

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Enforcement Orders				
Alberta Tourism, Parks and Recreation	Kanansakis Improvement District 1-20-9-W5	04-Oct-12	AEPEA(R) 210(1)	The Minister of Tourism, Parks and Recreation ("TPR") formerly held an Approval (Approval No. 152396-00-00) to operate the William Watson Lodge Wastewater System. [the "Facility"] The Former Approval was issued by Alberta Environment (now Alberta Environment and Sustainable Resource Development - "ESRD") on September 1, 2002 and it expired on September 1, 2012. TPR requires authorization under EPEA to continue operating the Facility in accordance with the terms of the Former Approval until such time that a new approval can be applied for by TPR and issued by ESRD. TPR is hereby ordered to operate the wastewater system in accordance with all terms and conditions contained in the Former Approval, complete the Elkwood Fen Amphibian and Vegetation monitoring as required by clause 6.1.2 of the Former Approval. Submit the Elkwood Fen Amphibian and Vegetation Monitoring Report prepared by a suitable professional as required by the Former Approval. Order expires September 30, 2013.
Fehr, Daniel E. and Katherina	MD. of MacKenzie N-20-109-12-W5	05-Oct-12	WA 36(1)	Daniel E. Fehr and Katherina Fehr are the registered owners of the lands on which two watercourses join. On or about September 24, 2012, in response to a public complaint, Alberta Environment and Sustainable Resource Development ("ESRD") attended the Lands and spoke to Daniel E. Fehr ("Fehr") who admitted that he was undertaking work with a backhoe in the Watercourse. ESRD told Fehr that alteration of a watercourse requires approval under the Water Act and to immediately stop. On a subsequent visit, staff observed that more work had been done within the watercourses with a backhoe. An aerial tour on October 5 uncovered fresh ground disturbances along two watercourses on the property, indicating additional alterations had occurred. ESRD has no record of Daniel E. Fehr and/or Katherina Fehr ever submitting an application for Approval under the Water Act for the activity, nor has the Department ever issued an Approval to the Fehr's for this activity. Daniel and Katherina Fehr must immediately cease, and shall not commence or continue, any activities whatsoever with any equipment in or near the Watercourses, either on the Lands or off the Lands, without prior written authorization from the Director.
Samco Developments Ltd. and Dolanz Russell & Cindy	Parkland County SW-13-53-5-W5 NW-12-53-5-W5	17-Oct-12	WA 36(1)	Samco Developments Ltd. is the registered owner of the lands legally described as NW 12-53-5-W5M (the "South Property") and SW 13-53-5-W5M (the "North Property"). Cindy and Russell Dolanz are the sole directors and sole operating minds at all times material to the events described in this Order. The South Property and portions of the North Property are adjacent to the shore of Wabamun Lake. Alberta Environment and Sustainable Resource Development ("ESRD") received an anonymous complaint in January 2012 regarding

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Enforcement Orders				
Brero Holdings Ltd. and Bresciani, Robert	Red Deer County Plan 8820936, Block D	22-Nov-12	AEPEA(R) 227(e)	removal of vegetation and earth work being carried out near the north shoreline of Wabamun Lake. Inspection of the site confirmed Samco was moving earthen materials on the Lands and that the Unauthorized Works created a significant potential for erosion of denuded soil, which would result in a high potential for sedimentation of the waters of Wabamun Lake. A review of ESRD's records revealed that the Parties had not applied for or received an Approval to conduct any of the Unauthorized Works. The parties shall immediately cease all unauthorized activities on the Lands; immediately prevent the siltation of water in Wabamun Lake caused by the unauthorized works; re-grade, re-contour and stabilize all disturbed areas; submit a written Survey Report signed by an Alberta Land Surveyor; submit and implement a written Remedial Report and Plan outlining full measures for re-vegetation and the return of the land to its prior state; and submit a final written report within 30 days of completion of the requirements of the Order. Brero Holdings Ltd. is the registered owner of the lands and Robert Bresciani is the sole director and shareholder of the Company, and at all material times has made the decisions in respect of the issues of this Order. The Parties own and operate "Les' Trailer Court", a 76 lot mobile home court which includes, amongst other services for its residents, the provision of potable water from groundwater wells through a water distribution system, and a wastewater collection and treatment system. The Trailer Court is occupied year round and the lots are serviced by the water distribution and wastewater systems. From a period of 2009-2010, Alberta Environment and Sustainable Resource Development ("ESRD") advised the Parties that they did not have the required diversion licences under the Water Act authorizing them to withdraw groundwater for potable water at the Trailer Court. Additional communications between the Parties, their consultants, ESRD and Alberta Health Services ensued regarding the unlicensed wells and unauthorized wastewater releases and other wastewater system concerns. The Parties were advised by ESRD that they were in contravention of the Water Act and that diversion licences were required; that to obtain a water diversion licence, further groundwater studies would be required, and identified a number of deficiencies with the study work conducted; a number of technical deficiencies were identified regarding the requirements that would have to be met prior to the Wells being licenced, including: well construction details and lithology, aquifer test analysis, storativity value, impact assessment and sustainable yields, and water quality; that they must make immediate repairs to the wastewater collection system to prevent further releases and that all future unauthorized releases must be reported to ESRD immediately. To date, despite numerous efforts by ESRD, the Parties have failed to obtain a Water Act licence for the Wells, and continue

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Enforcement Orders				

Brero Holdings Ltd. and Bresciani,
Robert

Red Deer County
Plan 8820936, Block D

22-Nov-12

WA
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to be in non-compliance of the Approval for the Wastewater System. Under the order, the Parties have three options to come into compliance for drinking water. All options ensure that the owner provides a safe source of drinking water for the trailer court residents. The Parties must advise ESRD of their intention by December 6, 2012. In addition, effective immediately, the operation of the Wastewater System shall be performed by a certified operator and the Parties shall not permit, commence or continue the release of any unauthorized wastewater from the Wastewater System to the environment. Notice of Appeal received by the Environmental Appeals Board November 30, 2012.

Brero Holdings Ltd. is the registered owner of the lands and Robert Bresciani is the sole director and shareholder of the Company, and at all material times has made the decisions in respect of the issues of this Order. The Parties own and operate "Les' Trailer Court", a 76 lot mobile home court which includes, amongst other services for its residents, the provision of potable water from groundwater wells through a water distribution system, and a wastewater collection and treatment system. The Trailer Court is occupied year round and the lots are serviced by the water distribution and wastewater systems. From a period of 2009-2010, Alberta Environment and Sustainable Resource Development ("ESRD") advised the Parties that they did not have the required diversion licences under the Water Act authorizing them to withdraw groundwater for potable water at the Trailer Court. Additional communications between the Parties, their consultants, ESRD and Alberta Health Services ensued regarding the unlicensed wells and unauthorized wastewater releases and other wastewater system concerns. The Parties were advised by ESRD that they were in contravention of the Water Act and that diversion licences were required, that to obtain a water diversion licence, further groundwater studies would be required, and identified a number of deficiencies with the study work conducted; a number of technical deficiencies were identified regarding the requirements that would have to be met prior to the Wells being licensed, including: well construction details and lithology, aquifer test analysis, storativity value, impact assessment and sustainable yields, and water quality, that they must make immediate repairs to the wastewater collection system to prevent further releases and that all future unauthorized releases must be reported to ESRD immediately. To date, despite numerous efforts by ESRD, the Parties have failed to obtain a Water Act licence for the Wells, and continue to be in non-compliance of the Approval for the Wastewater System. Under the order, the Parties have three options to come into compliance for drinking water. All options ensure that the owner provides a safe source of drinking water for the trailer court residents. The Parties must advise ESRD of their intention by December 6, 2012. In addition, effective immediately, the operation

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Enforcement Orders				
Heartland Industrial Park Inc. and Jahn, Harold	Lamont County NW-34-55-20-W4 Plan 0827309, Block 1, Lot 1	03-Dec-12	AEPEA(R) 227(e)	of the Wastewater System shall be performed by a certified operator and the Parties shall not permit, commence or continue the release of any unauthorized wastewater from the Wastewater System to the environment. Notice of Appeal received by the Environmental Appeals Board November 30, 2012. The Company is the registered owner of the lands and Harold Jahn is the directing mind, and has charge, management and control of the business operations carried out in the Plant and on the Lands. In 2008, Alberta Environment and Sustainable Resource Development (ESRD) issued an Approval for the operation of the Bruderheim Sodium Chlorate Plant under the Environmental Protection and Enhancement Act (EPEA). The Approval was transferred on June 21, 2011 to Heartland who agreed to comply with and be bound by all terms of the Approval. The Plant is located on the Lands and has not been operational since 2006, it is now being used and leased for storage and industrial use including asphalt emulsion. Although the plant has not been in service since 2006, a functioning groundwater recovery system is required to ensure that contaminated groundwater is removed and treated. ESRD has made multiple attempts to resolve the matter but the contamination issue remains unresolved. The Parties are required to submit and implement a decommissioning and reclamation plan for the plant and a monitoring plan for the sites groundwater.

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Environmental Protection Orders				

No Activity

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Prosecutions				

No Activity

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Tickets				
S G Landscaping Ltd	Spruce Grove	23-Nov-12 Penalty: \$115.00	AEPEA(R) 61	The Company conducted an activity, the burning of prohibited debris in an open fire without an approval. Paid 23 November 2012

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Warning Letters				
Bonavista Energy Corporation	Ponoka County NW-33-42-4-W5 NE-6-44-1-W5 NW-6-44-1-W5	01-Oct-12	WA 142(1)(n)	The Company conducted an activity, the unauthorized diversion of groundwater which occurred on or about April 20, 2012, located at 14-33-42-4-W5M and the unauthorized diversion of surface water from a gravel pit which occurred on or about April 25, 2012, located at NW/NE 6-44-1-W5M.
Lacombe County	Lacombe County SW-32-40-3-W5	03-Oct-12	WA 36(1)	The County conducted an activity, the altering of a tributary to Medicine River without an Approval on or about October 2011.
ConocoPhillips Canada Resources Corp.	Clearwater County NW-20-41-4-W5	04-Oct-12	AEPEA(R) 227(e)	The Company operates the Gilby Sour Gas Plant pursuant to an Approval. It contravened its approval by operating the acid gas flare stack with the lower heating value less than the allowable limit of 20 MJ/m3 as reported to the Department on October 28, 2011.
Corpro Canada Inc.	Edmonton Plan 7621294, Block 2, Lot 3-6	05-Oct-12	AEPEA(R) 61	An inspection on December 7, 2011 found the Company to be operating furnaces to melt and reform zinc and aluminum into useable forms at a rate of not more than 5 tonnes per hour without the required registration under the Code of Practice for Foundaries.
Smoky Lake, Town of	Smoky Lake County NW-28-59-19-W4	15-Oct-12	AEPEA(R) 227(e)	The Town operates the Smoky Lake Water Treatment Plant pursuant to an Approval. It contravened its approval with late submission of the Annual Waterworks Report for 2012. The report was due February 28, 2012, but was not received by the Department until March 29, 2012.
Giselbrecht, Ronald William	MD Lesser Slave River SE-26-68-2-W5	16-Oct-12	WA 36(1)	Mr. Giselbrecht conducted an activity, the unauthorized maintenance of a watercourse crossing over Chisholm Creek on or about September 23, 2011.
Cowley, Village of	Cowley 7-1-W5	29-Oct-12	AEPEA(R) 227(e)	The Village operates the Cowley Waterworks System pursuant to an Approval. A distribution pipeline break that occurred on March 17, 2012 identified non-compliance with conditions of the Approval, failure to complete a written Operations Program on or before September 1, 2008.
Humphreys, Glynn	Red Deer County NE-25-37-24-W4	02-Nov-12	WA 36(1)	Mr. Humphreys conducted an unauthorized activity, the filling and grading of wetlands, along with altering the level of flow of water in December 2010.

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Warning Letters				
Agrium Products Inc.	Sturgeon County 18-56-21-W4 20-56-21-W4 17-56-21-W4 21-56-21-W4 29-56-21-W4	09-Nov-12	AEPEA(R) 227(e)	The Company operates the Redwater Fertilizer Manufacturing Plant pursuant to an Approval. It contravened its approval with late submission of the soil management program proposal.
Wildcat Rentals Ltd.	County of Vermilion River SE-14-49-1-W4	09-Nov-12	WA 36(1)	The Company conducted an unauthorized activity, the modification of a waterbody between October 14, 2011 and January 20, 2012.
Connacher Oil and Gas Limited	MD of Wood Buffalo NE-18-82-11-W4 NE-16-82-12-W4	16-Nov-12	AEPEA(R) 227(e)	The Company operates the Algar SAGD Project and the Great Divide Oil Sands Project pursuant to Approvals. It contravened its approvals by failing to submit the passive air monitoring samples for the months of May 2012 (Algar), June 2012 (Great Divide and Algar), August 2012 (Algar), and September 2012 (Great Divide and Algar).
Lilydale Inc.	Calgary Plan 8811306, Block 8, Lot 41	20-Nov-12	AEPEA(R) 182 180	The Company conducted an unauthorized activity, the deposition of waste via snow removal on April 16, 2009 and deposition of chicken parts via raptor/vectors onto land privately owned on September 21, 2009.
Melcor Developments Ltd.	Red Deer County SW-27-37-27-W4	26-Nov-12	WA 49(1)(b) 49(1)(a)	The Company conducted an activity, the diversion of water on or about June 8, 2011, where a diversion licence was not held as required under the Water Act.
Olson, Randall	County of Warner NW-30-5-18-W4 SW-36-6-17-W4	30-Nov-12	AEPEA(R) 227(e)	The County of Warner holds approvals for the operation of the New Dayton and Wrentham Water Treatment Plants and Randall Olson is the Water Treatment Plant Operator for both facilities. Mr. Olson failed to maintain the pH at an approved level and failed to immediately report the contraventions in October and November 2011.
Patrizi, Pio	Edmonton E-18-51-23-W4	04-Dec-12	WA 36(1)	Mr. Patrizi conducted an activity in a water body without authorization on or about the 25 of November 2011.

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Warning Letters				
Enbridge Pipelines Inc.	MD of Wood Buffalo NE-7-74-5-W4	12-Dec-12	WA 142(1)(n)	The Company conducted an activity, the unauthorized diversion of water that occurred February 16, 2011 to February 24, 2011.
Enersul Inc.	MD of Wood Buffalo NW-18-88-7-W4 NW-13-88-8-W4	17-Dec-12	AEPEA(R) 227(e)	The Company operates the Lynton Sulphur Handling Facility pursuant to an Approval. It contravened its approval by failing to submit the Annual Waste Management Summary Report to the Director by March 31 of 2010, 2011, and 2012; failing to immediately report the contraventions of the approval, and failing to submit a 7 day written report for Reference Number 243460.

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Water Management Orders				
Kolk Farms Connch Ltd. and Kolk, John Paul	MD of Taber SE-16-13-18-W4	28-Nov-12	WA 97 99(1)	The work being conducted on the SE 16-13-18-W4M in the M.D. of Taber is channeling or has potential to channel surface water flow to an area which will adversely affect the M.D. of Taber's road infrastructure and neighbouring lands. The parties shall stop all work until such time as an Approval from Environment and Sustainable Resource Development is issued.

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